

Irish Jury awards Page 1

Case	Rec. No.	Trial year	Trial Judge	Alleged facts	Publication Means	Category	Contest?	Jury findings	Awarded	Appeal	
1	O'Neill v. Times Newspapers Ltd	2008/4615P	2010	Dunne J.	P was associated with criminal activity due to racehorse ownership.	Magazine with Newspaper	Criminal	Contested but apology published 6 weeks after magazine	Defamatory meaning: P was associated with criminal and/or fraudulent activity	€50k .	N/A
2	Kepak Longford v. Wydawnictwo Polska Gazeta Ltd	2008/10598P	2010	De Valera J	Articles in the Polska Gazeta re treatment of worker	Newspaper	Criminal/Personal	Full Contest	Defamatory meaning: P treated a man like a slave and worked him to death.	€150k (€120k compensatory+ €30k aggravated).	N/A
3	Kinsella v Kenmare Resources PLC	2007/5677P	2010	De Valera J	Business trip incident.	Press Release	Criminal, Personal, Professional.	Full Contest	Defamatory inference that P had made inappropriate sexual advances and release intended to pressure PI re his position in def.	€10m (€9m compensatory + €1m aggravated.)	Appealed to Supreme Court - No judgment.
4	Davison v Ryanair Ltd	2008/10129P	2011	De Valera J	Description of P's comments re charity calendar.	Press Release	Personal, professional.	Full Contest	The press release meant P was racist and had no concern for charity - defamatory.	€80k. (€40k general and €40K aggravated)	N/A
5	McCauley & Grosvenor Cleaning v. Vodafone Ireland	2005/2434P	2011	Dunne J.	Ad suggested that 2nd P company was inefficient etc.	Advertisements	Business	Full Contest	The 2nd P was identified by the ad which meant that the 2nd P was inefficient and carried out its business in a dishonest manner.	€85k (€75k general and €10k specific loss)	N/A
6	McEvoy & anor v. McGarrity & JW Promotions	2010/5144P	2011	De Valera J	Using 1st P's name on posters for a tour to which he had not committed.	Websites	Professional	Not defended	Damaged the reputation and good name of the 1P and 2P.	€80k (1P), €100k (2P)	N/A

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7	O'Toole v RTE	2009/2145P	2011	Dunne J.	RTE sketch suggested P's guesthouse was a brothel.	Radio	Professional/ Criminal	Accepted with lodgement of €51,742	N/A	€70k (general and aggravated.)	N/A
8	Swaine v Keane	2009/9786P	2012	De Valera J	Practised illegal activities re funds and costs in an effort to get a payment from him for a client.	Telefax to P's firm of solicitors	Professional misconduct/ Criminal	Full Contest	Fax was defamatory.	€6,550k (€5,700 general and €850 aggravated.)	N/A
9	O'Brien v. Associated Newspapers	2010/3476P	2013	De Valera J	P's involvement in Haitian relief was a hypocritical act motivated by self interest.	Newspaper	Personal	Full Contest	Defamatory: P's involvement "was a hypocritical act primarily motivated by self interest and was an ingenious feint" and honest opinion not based on facts reasonably known to readers and the opinion was not a matter of public interest.	€150k	Appealed to Supreme Court- No judgment.
10	Lackey v. Brehon	2006/2653P	2013	De Valera J	Poison pen' letter that P was waiting for his bachelor uncle to die so he could get his land and money.	Letter	Personal	Not defended	Letter was defamatory and was published.	€60k (€50k general + €10k aggravated)	N/A
11	O'Hara v Board of Management of school and Garda Commissioner	2007/2328P	2014	Hedigan J.	Brought into principal's office and falsely accused causing Garda investigation.	In Person	Criminal, Personal	Full Contest	P suffered emotional harm as a result of 2nd Def's actions.	€28k	C o f A informed of settlement on 16.5.17 in appeal and cross appeal

12	Speedie v Sunday Newspapers & others	2011/4714P	2015	Hedigan J.	P involved in criminal activity and the Gardai had reason to so suspect.	Newspaper	Criminal, Personal	Full Contest	1st article defamed as meant Gardai had reason to suspect the plaintiff involved in criminal activity and " <i>treacherous like a snake</i> ".	€85k and sincere apology to be printed	Appeal dismissed by C of A on 2.2.17 [2017] IECA 15
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